

REMARKS

The finality of the restriction requirement is noted. Applicants confirm their previous election of claims 1-26, and request that the several non-elected claims be maintained in this application, without further action, for possible rejoinder and/or for filing of a divisional application.

Claims 1 and 6-12 have been amended to eliminate "means" language, and operation of 35 USC 112, paragraph 6. New claim 43 has been added to further scope the invention. No new matter has been entered.

The rejection of claims 1-3, 13-16, and 26 under 35 USC §102(b) as being anticipated by U.S. Patent No. 5,903,246 to Dingwall is in error. Independent claim 1 requires, in part, "a controller for turning on said selection transistor thereby to write gradation pixel data in said holding capacitor from said signal line, discharging charges of the gradation pixel data written in said holding capacitor through said drive transistor *for a predetermined time*." Independent claim 14 requires, in part, "a discharging step of discharging charges of the gradation pixel data written in said holding capacitor through said drive transistor for a predetermined time." Dingwall fails to disclose these features of claims 1 and 14.

Specifically, Dingwall fails to teach or disclose, "discharging charges of the gradation pixel data written in said holding capacitor through said drive transistor for a predetermined time." On page 3 of the Action, the Examiner asserts that this feature of claim 1 and 14 is disclosed in Col. 5, Lines 25-45 of Dingwall. However, the noted passage discloses that the O-LEDs (i.e., pixel display elements) are "driven during the entire frame time—not just the line time—thereby increasing brightness..." and further states that the O-LEDs are driven

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"continuously." See Col. 5, Lines 38-40. Thus, because the pixel display elements are driven continuously, they do not anticipate discharging pixel data through the drive transistor for a predetermined time as required by Applicants' claims. Therefore, the Examiner's rejection of independent claims 1 and 14 is in error. Accordingly, the Applicant respectfully requests withdrawal of the rejections.

Dependent claims 2-3, 13-16 and 26 are also rejected under 35 U.S.C. §102(b) as being anticipated by Dingwall. Claims 2-3, 13-16 and 26 depend on independent claims 1 or 14, as the case may be, and are allowable over Dingwall for the same reasons above adduced relative to claims 1 and 14, as well as for their own additional limitations..

Applicants thank the Examiner for finding that claims 4-12 and 17-25 contain allowable subject matter and are in condition for allowance except for being dependent on a rejected base claim. Applicants submit that since independent claims 1 and 14, of which dependent claims 4-12 and 17-25 depend, are now in condition for allowance, the objection to dependent claims 4-12 and 17-25 is overcome. Accordingly, Applicants respectfully request withdrawal of the objection.

Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. Early and favorable action is respectfully requested.

Added claim fees are being paid via EFS WEB in the amount of \$52.00.

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In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,



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I hereby certify that this paper is being deposited with the United States Patent Office via the electronic filing procedure on December 3, 2008 at Tucson, Arizona.



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